IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO NO. 4259 OF 2007

IN

FIRST APPEAL (ST) NO. 14962 OF 2007

IN

SPECIAL CIVIL SUIT NO. 10 OF 2007

MAN INDUSTRIES INDIA LTD. ... APPLICANTS.

VS.

M/S. N.V.KHAROTE ENGINEERS

& CONTRACTORS & ANR. ... RESPONDENTS.

MR. ANIL MENON & ASSOCIATES FOR THE APPLICANT.

MR. MANDAR GOSWAMI FOR RESPONDENTS.

.....

CORAM : J.N.PATEL & A.A.SAYED, JJ.

DATE : October 30, 2007.

.....

P.C.

1. For the reasons stated in the application the delay in filing the appeal is condoned subject to

payment of costs of Rs. 1000/- to the respondents. The costs be paid within two weeks from today. The C.A. stands disposed of accordingly.

2. The appeal be registered and listed for admission in due course.

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[J.N.Patel, J.]

[A.A.Sayed, J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO NO. 4260 OF 2007

IN

FIRST APPEAL (ST) NO. 14962 OF 2007

IN

SPECIAL CIVIL SUIT NO. 10 OF 2007

MAN INDUSTRIES INDIA LTD. ... APPLICANTS.

VS.

M/S. N.V.KHAROTE ENGINEERS

& CONTRACTORS & ANR. ... RESPONDENTS.

MR. ANIL MENON & ASSOCIATES FOR THE APPLICANT.

MR. MANDAR GOSWAMI FOR RESPONDENTS.

.....

CORAM : J.N.PATEL & A.A.SAYED, JJ.

DATE : October 30, 2007.

.....

P.C.

1. The learned Counsel for the Respondent No.1 waives service. Heard the learned Counsel for the parties. The appellant shall deposit the decreetal

amount with costs within a period of two weeks in this Court. On such deposit being made, the respondents are at liberty to withdraw the same, subject to furnishing security for the same to the satisfaction of the Registrar, Judicial -I.

2. On depositing the decreetal as directed, the operation of impugned Judgment and decree be stayed and attachment would stand withdrawn.

3. The C.A. stands disposed of accordingly.

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[J.N.Patel, J.]

[A.A.Sayed, J.]